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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/560,665 | 04/27/2000 | DAVID WILKINS | ANDIP597 | 4368 |

29838 7590 12/18/2002

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EXAMINER

GEHMAN, BRYON P

| | |
|----------|--------------|
| ART UNIT | PAPER NUMBER |
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3629

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/560,665

Applicant(s)

WILKINS ET AL.

Examiner

Bryon P. Gehman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claims 1, 6 and 11, line 8 of each, "a profile a user" does not make sense.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3, 6-8, and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over McGurl et al. (5,893,080) in view of Polk (5,946,669). McGurl et al. disclose a method and system for providing a network-based financial support framework comprising maintaining a database (20) including information on a received financial support payment (see col. 4, lines 4-64 and col.6, lines 14-41) utilizing a

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network (see col. 3, lines 23-46), providing general information relating to the financial support payment (disbursement criteria, col. 4, lines 16-64) utilizing the network, allowing the calculation of a proper amount of the financial support payment (by determining the disbursement criteria for a particular payment in the database 20) and displaying a history associated with the financial support payment (in the disbursement log, see claim 6 and col. 6, lines 14-41). McGurl et al. describes a payment or disbursement of any sort. Polk discloses a payment made over a network comprising a child support payment. To employ the method and system of McGurl et al. in particular for child support payments as taught by Polk would have been obvious in order to make child support payments properly calculated on information in the database, as suggested by McGurl et al.. As to claim 6, a computer program (col. 3, lines 23-46) to operate the method and system is disclosed.

As to claims 2, 7 and 12, the internet is suggested (col. 3, lines 27-38).

As to claims 3, 8 and 13, the information specified is different. However, these differences are only found in the nonfunctional data stored in the database. Thus, this descriptive material will not distinguish the claimed invention from the prior art in terms of patentability. See *In re Gulack*, 703 F.2d 1381, 1385, 217 USPQ 401, 404 (Fed. Cir. 1983); *In re Lowry*, 32 F.3d 1579, 32 USPQ2d 1031 (Fed. Cir. 1994).

Claims 4, 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1, 6 and 11 above, and further in view of Kight et al. (5,873,072). Kight et al. disclose a payment history including a date and amount of a

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payment (see col. 6, lines 30-39). To modify the history of McGurl et al. employing the teaching of Kight et al. would have been obvious in order to provide a record of the date and amount as important information, as recognized by Kight et al..

Claims 5, 10 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over the art as applied to claims 1, 6 and 11 above, and further in view of Ganesan et al.. Ganesan et al. disclose a financial payment method and system including providing a frequently asked questions (FAQ) portion to the database (see col. 10, lines 18-36). To modify the database of McGurl et al. employing a FAQ portion in the database as taught by Ganesan et al. would have been obvious in order to provide answers readily accessible to a user.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The Landry references (5,649,117, 5,956,700) each disclose network processing of financial support payments. Crooks et al. similarly discloses an internet financial payment system and method. Anderson et al. disclose a system and method where a payment is calculated based on reasonability criterion. Citibank discloses a network method and system to electronically pay a bill. "DSHS Child Support Computer System..." shows that child support handling via the computer and internet was known.

Telephone inquiries regarding the status of applications or other general questions, by persons entitled to the information, should be directed to the group clerical personnel and not to the examiner. As the official records and applications are located in the clerical section of the examining Tech Center, the clerical personnel can readily provide status information without contacting the examiner. See MPEP 203.08. The Tech Center clerical receptionist number is (703) 308-1113.

In receiving an Office Action, it becomes apparent that certain documents are missing, e. g. copies of references, Forms PTO 1449, PTO-892, etc., requests for copies should be directed to Tech Center 3600 Customer Service at (703) 306-5771, or e-mail CustomerService3600@uspto.gov.

Any inquiry concerning the merits of the examination of the application should be directed to Bryon Gehman at telephone number (703) 308-3866. My work schedule is normally Tuesday through Friday from 6:30 am through 4 pm.


Should I be unavailable during my normal working hours, my supervisor John Weiss may be reached at (703) 308-2702. The FAX phone numbers for formal communications concerning this application are (703) 305-7687 and (703) 305-3597. Informal communications may be made, following a telephone call to the examiner, by an informal FAX number to be given.

Other possibly helpful telephone numbers are:

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|---------------------------------|----------------------|
| Allowed Files & Publication | (703) 305-8322 |
| Assignment Branch | (703) 308-9287 |
| Certificates of Correction | (703) 305-8309 |
| Drawing Corrections/Draftsman | (703) 305-8404/ 8335 |
| Fee Questions | (703) 305-5125 |
| Intellectual Property Questions | (703) 305-8217 |
| Petitions/Special Programs | (703) 305-9282 |
| Terminal Disclaimers | (703) 305-8408 |
| Information Help Line | 1-800-786-9199 |

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 308-1113.

BPG
December 11, 2002


Bryon P. Gehman
Primary Examiner